## Montana State Legislature

### 2013 Session

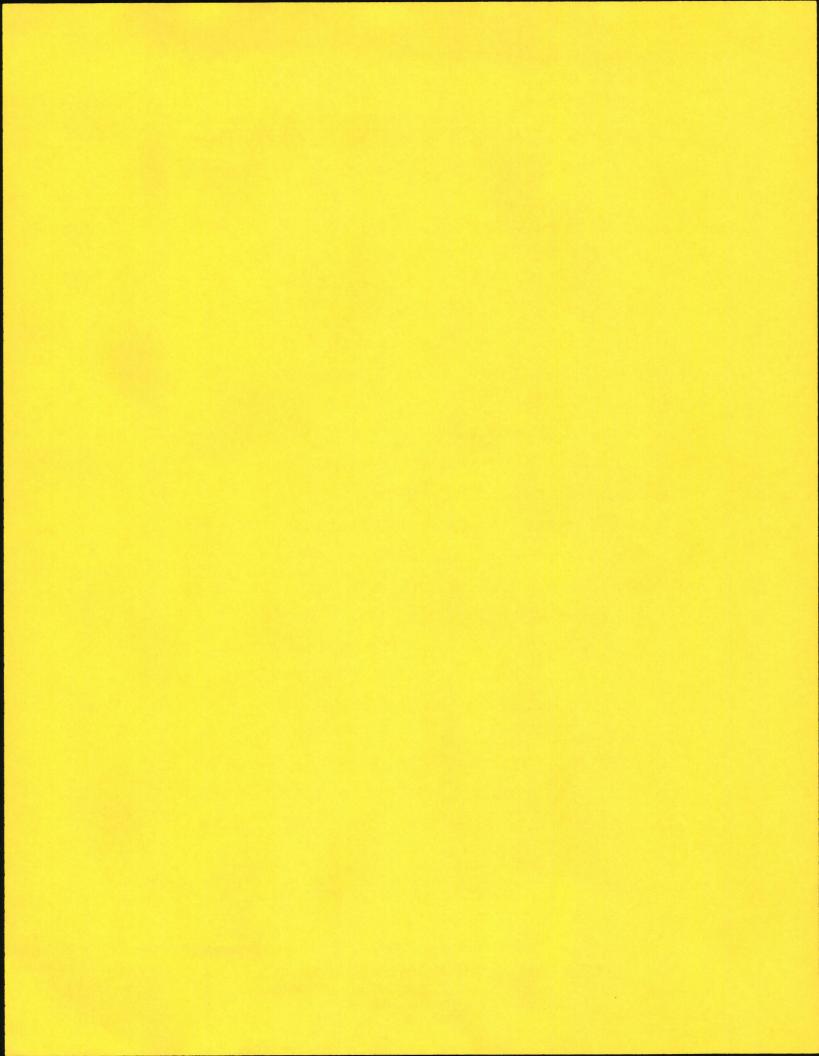
# ADDITIONAL DOCUMENTS MAYINCLUDE THE FOLLWING:

- Business Report
- · Roll Call Attendance
- Standing Committee
   Reports
- Tabled Bills
- · Fiscal Reports etc.
- Roll Call Votes
- Informational Items
- Witness Statements
- Any Documents; such as;
   \*Petitions if any.
  - \*Any and all material handed end after the meeting ends.

The original is on file at the Montana Historical Society and may be viewed there.

Montana Historical Society Archives 225 N. Roberts Helena MT 59620-1201

2013 Legislative Scanner Susie Hamilton



#### **BUSINESS REPORT**

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

### SENATE LOCAL GOVERNMENT COMMITTEE

Date: Friday, March 8, 2013

Place: Capitol

Time: 3:00 PM Room: 405

### **BILLS and RESOLUTIONS HEARD:**

HB 245 - Authorize counties to dedicate park land - Rep. Champ Edmunds

HB 368 - Revise landlord tenant regarding abandoned property - Rep. Christy Clark

HB 446 - Revise offense of disorderly conduct - Rep. Nicholas Schwaderer

#### **EXECUTIVE ACTION TAKEN:**

Comments:

SEN. Edward Buttrey, Chair

### MONTANA STATE SENATE Roll Call LOCAL GOVERNMENT COMMITTEE

DATE: 3-8-2013

	7	T
NAME	PRESENT	ABSENT/ EXCUSED
SENATOR ED BUTTREY, CHAIRMAN		
SENATOR JANNA TAYLOR, VICE CHAIR		~
SENATOR SHANNON AUGARE		
SENATOR DICK BARRETT		
SENATOR SCOTT BOULANGER		
SENATOR SUE MALEK	V ,	
SENATOR ALAN OLSON	V	
SENATOR BRUCE TUTVEDT		
SENATOR GENE VUCKOVICH		
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## MONTANA STATE SENATE Visitors Register SENATE LOCAL GOVERNMENT COMMITTEE

Friday, March 8, 2013

3:00 P.M.

**Room 405** 

**HB 245 - Authorize counties to dedicate park land** Sponsor: **Rep. Champ Edmunds** 

### PLEASE PRINT

PLEASE PRINT					
Name	Representing	Support	Oppose	Info	
IIM RAVNdell	SolF		1		
Shautil Siapenas	MTASSOCICOUNTES FUP./MONTANA STATE PARK	X			
TOM REILLY	FUP. / MONTANA STATE PARK	5			
INDA STOLL	Missoura County	/			
	,				
				1	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

## MONTANA STATE SENATE Visitors Register SENATE LOCAL GOVERNMENT COMMITTEE

Friday, March 8, 2013

3:00 P.M.

**Room 405** 

HB 446 - Revise offense of disorderly conduct

Sponsor: Rep. Nicholas Schwaderer

### **PLEASE PRINT**

Name	Representing	Support	Oppose	Info
Tim RAVIdad	Canet Def autkers.			
CARY MARRIET	MESA/WAIFGA	X		
		-		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

### MONTANA STATE SENATE Visitors Register SENATE LOCAL GOVERNMENT COMMITTEE

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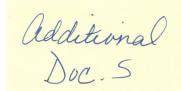
HB 368 - Revise landlord tenant regarding abandoned property Sponsor: Rep. Christy Clark

#### **PLEASE PRINT**

Name	Representing	Support	Oppose	Info
311 Staffe 18+	Montana Landlords Assoc	X		
DONNA Kostelecky	GALLATIN ASSOCIATION OF REALTON MANAGEMENT ASSOCIATES INC  MANAGEMENT ASSOCIATES INC	X		
DON LINT	CALLAND, LINI REALTY, INT.	X		
Dystin JACKSON	MANAGEMENT ASSOCIATES INC	X		
dry 58 les	MAR	X		
	V			

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

### DOUGLAS E. NULLE 37D STONEY BROOK DRIVE CLANCY, MT 59634 (406) 442-4073



February 28, 2013

The Honorable Edward Buttrey Chairman, Senate Local Government Committee Montana Senate PO Box 200500 Helena, MT 59620-0500

Dear Chairman Buttrey:

I understand that HB 446 is scheduled for hearing before the Senate Fish and Game Committee on March 8, 2013. I will be out of town on that date and accordingly, I am submitting my written testimony in support of this bill for inclusion in the record.

Thank you and have a great day!

Very truly yours,

DOUGLAS E. NULLE

DEN:dn encls. cc:file

HB 446, Talking points – fixing Disorderly conduct

**Discharging firearms – common practice.** The people of Montana fire firearms hundreds of thousands of times each year, with no intent to be disruptive. People shoot at elk, deer, antelope, moose, coyotes, prairie dogs, ducks, geese, grouse and wolves. People shoot at tin cans and paper targets. People shoot to test ammunition. People shoot to test rifles, pistols and shotguns. People shoot to sight in for hunting season. People shoot to practice self defense skills. People shoot in firearms safety classes, including Montana Hunter Education.

**Under current law,** every one of these "firing"s of a firearm is a crime. Worse, if an otherwise innocent person were arrested for and convicted of this crime, the federal government, under the Brady Law, would probably view this conviction as a "gun crime" and strip the convicted person of his or her ability to lawfully own or possess firearms, forever. There is a history of such interpretation and action.

**Bad law.** Any law that criminalizes such widespread but innocent conduct is a bad law. This definition of Disorderly Conduct needs to be simply repealed. The Legislature might as well pass a law declaring every person to be a criminal as to keep this definition on the law books and depend on selective prosecution for proper application.

How will it be possible to enforce against misuse of firearms? There will be plenty of laws left on the books to enforce against people doing bad things.

- 45-8-343. Firing firearms. makes it a crime to discharge a firearm inside city limits, unless done in self defense.
- 45-5-207. Criminal endangerment -- penalty. (1) A person who knowingly engages in conduct that creates a substantial risk of death or serious bodily injury to another commits the offense of criminal endangerment.
- 45-5-208. Negligent endangerment -- penalty. (1) A person who negligently engages in conduct that creates a substantial risk of death or serious bodily injury to another commits the offense of negligent endangerment.
- 45-5-201. Assault can include negligently injuring another with a weapon, a misdemeanor.
- 45-5-202. Aggravated assault is knowingly causing injury to another, a felony.
- 45-5-213. Assault with weapon is when a person purposely or knowingly causes bodily injury to another or reasonable fear of serious bodily injury to another by use of a weapon or by what appears to be a weapon—a felony.
- 61-8-369. It is illegal to shoot from, onto or across a public roadway.
- 87-3-109. It is illegal to discharge a firearm at a wildlife decoy.